IN THE UNITED STATES DISTRICT COURT FOR THE

## NATIONAL STABILIZATION AGREEMENT OF THE SHEET METAL INDUSTRY TRUST FUND, et al., Plaintiffs, v. Civil Action No. 1:08cv569 TAMARACK HEATING & COOLING INC., Defendant.

## **JUDGMENT ORDER**

Upon consideration of the October 28, 2008 Amended Report and Recommendation of the United States Magistrate Judge designated to conduct a hearing in this matter, no objections having been filed, and upon an independent *de novo* review of the record, it is hereby **ORDERED** that the Court adopts as its own the findings of fact and recommendation of the United States Magistrate Judge, as set forth in the October 28, 2008 Amended Report and Recommendation.

Accordingly, it is hereby **ORDERED** that judgment is **ENTERED** by default in favor of plaintiffs and against defendant in the total amount of \$69,961.33.

It is further **ORDERED** that defendant file prompt remittance reports and make all payments due to plaintiffs for all periods for which it is obligated until the expiration of the current collective bargaining agreement and any extensions thereto.

It is further **ORDERED** that defendant, within twenty (20) days of the date of this Order, permit plaintiffs to conduct an audit of defendant's wage, payroll and personnel records for all

periods for which defendant is obligated to make contributions under the current collective

bargaining agreement, and if such audit reveals unreported hours and that additional contributions

are due, defendant is DIRECTED to pay promptly all additional unpaid contributions, interest and

liquidated damages, as well as the costs of the audit.

The Clerk is **DIRECTED** to enter judgment pursuant to Rule 58, Fed. R. Civ. P. and to place

this matter among the ended causes.

The Clerk is further DIRECTED to send a copy of this Judgment Order to defendant, the

Magistrate Judge and all counsel of record.

Alexandria, VA November 19, 2008

T. S. Ellis, III
United States District Judge

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